

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

August 20, 2018

1. Approval of minutes of meeting held August 13, 2018.
2. Personal Appearance –
 - A. Christie Templeton, Department of Human Services will be present to request Resolution of Funds in the amount of \$75,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Hamilton and O'Brien Counties.
TAB # 1
 - B. Janet Phipps, Director, Iowa Department of Administrative Services will be present to request approval of the following:
 1. Premiums for Health Insurance for 2019
 2. Premiums for Dental Insurance for 2019
 3. Amendment to Wellmark Contract for BDCT
 4. Amendment to COBRA for 2018**TAB # 2**
3. Outside Counsel – Page 1
TAB # 3
4. Emergency Allocations – Page 1
5. Payment of Cost Items (1 of 2) – Page 1-4
6. Payment of Cost Items (2 of 2) – Page 4

3. Outside Counsel

- A. The Department of Justice, Attorney General's office requests a replacement counsel in *Godfrey v. State of Iowa et al, civil rights complaint*. Mr. George LaMarca has given notice he is retiring from the practice of law and intends to withdraw from the representation. The individual defendants have requested Frank Harty, Nyemaster Goode, P.C., be retained as replacement counsel.

Firm: Nyemaster Goode, P.C.
Attorney: Frank B. Harty
700 Walnut Street
Suite 1600
Des Moines, Iowa 50309
Rate: \$320.00 per hour

TAB # 3

4. Emergency Allocations

- A. University of Iowa – Board of Regents is requesting an emergency allocation and reimbursement in the amount of \$27,809.51. On September 21, 2017 Hydrosience & Engineering Research equipment was lost/damaged at Beaver Creek. Request is to cover costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

- B. Department of Corrections is requesting an emergency allocation in the amount of \$241,460.26. On July 11, 2017 a storm/lightning damaged perimeter fences. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices.

5. Payment of Cost Items (1 of 2)

- A. Department of Human Services\$55,393.34
On January 1, 2018 the Administration Building, Roberts Cottage and Duggan Cottage had water leaks and damages. Request was to cover repair costs.

The State Auditor's Office has reviewed request and recommends payment, this represents full and final payment and this allocation closed.

- B. Foley & Lardner, LLP.....\$499.00
321 North Clark Street
West Des Moines, IA 50265
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

- C. Foley & Lardner, LLP.....\$11,477.00
321 North Clark Street
West Des Moines, IA 50265
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

- D. Davis Brown Law Firm.....\$207.00
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- E. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Conwell v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- F. Patterson Law Firm L.L.P.....\$492.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Wenxin Liu vs. Iowa Department of Natural Resources, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- G. Patterson Law Firm L.L.P.....\$150.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Kareem A. Duckett v. Mt. Pleasant Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- H. Patterson Law Firm L.L.P.....\$1,158.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Doorley vs. University of Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- I. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- J. Patterson Law Firm L.L.P.....\$144.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Reginald Van Dusseldorp vs. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

K. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Amy Wearmouth v. Iowa Correctional Institute for Women, State of Iowa and
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

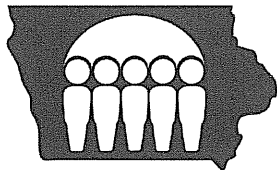
6. Payment of Cost Items (2 of 2)

A. LaMarca & Landry, P.C.....\$8,583.06
1820 N.W. 118th Street, Suite 200
Des Moines, IA 50325
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the General Fund.

B. LaMarca & Landry, P.C.....\$27,016.22
1820 N.W. 118th Street, Suite 200
Des Moines, IA 50325
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the General Fund.



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

August 16, 2018

EXECUTIVE COUNCIL

AUG 16 2018

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On June 14, 2018, a severe storm system caused flooding in Hamilton and O'Brien Counties causing damage.

Per the Governor's Disaster Proclamation, I am requesting additional funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, August 20, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$75,000.00 to be allocated as follows.

- \$75,000.00 for IIAGP for Hamilton and O'Brien Counties

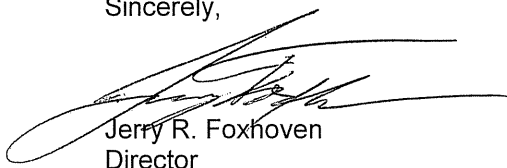
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1804_State Only Disaster IIAGP (6/14/18)

Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Executive Council 2019 Insurance August 20, 2018

Agenda

- ❑ 2019 Health Plans
- ❑ Health Contracts/Covered Members
- ❑ 2019 Recommended Health Premiums
- ❑ Blue Distinction
- ❑ 2019 Recommended Dental Premiums
- ❑ DAS Recommendation

2019 Health Plans

- ☐ Continue with one plan design with two options
 - ☐ Iowa Choice (HMO) – access to network of providers in Iowa and continued access in contiguous counties
 - ☐ National Choice (PPO) – access to network of providers nationwide
- ☐ With the PPO plan, the employee buys-up the difference compared to the HMO plan
- ☐ Other health promoting, value-added services available through the health plan will be promoted
- ☐ No changes to plan design in 2019 (Copays, coinsurance, deductibles, and out-of-pocket maximums limits will remain the same for medical and prescription drugs)
- ☐ Enrollment Period: October 8 – November 9, 2018

Contracts/Covered Members

- ☐ Projected 2019 Claims \$332.4 million (Plan Year 2018 \$330 million)
- ☐ Projected 2019 Contracts -21,442 (2018 Contracts – 21,203)
- ☐ Projected 2019 Covered Members - 54,374 (2018 Covered Members – 54,393)
- ☐ Blue Distinction

2019 Health Plan Premium Recommendation

	Plan Year 2018				Plan Year 2019			
	Total	Ee Share	%	Er Share	Total	Ee Share	%	Er Share
Iowa Plan								
Single	\$712.00	\$40.00	5.62%	\$672.00	\$699.00	\$39.26	5.62%	\$659.74
					-1.9%			94.38%
Family	\$1,668.00	\$150.00	8.99%	\$1,518.00	\$1,642.00	\$147.66	8.99%	\$1,494.34
					-1.6%			91.01%
Nat'l Plan								
Single	\$765.00	\$93.00	12.16%	\$672.00	\$769.00	\$109.26	14.21%	\$659.74
					+0.5%			85.79%
Family	\$1,791.00	\$273.00	15.24%	\$1,518.00	\$1,806.00	\$311.66	17.26%	\$1,494.34
					+0.8%			82.74%

Blue Distinction

- ❑ Network structure that attributes members to medical providers
- ❑ Medical providers are contractually accountable for improving health outcomes/health care costs of members
- ❑ Providers are measured by the outcomes of their attributed members against average
- ❑ Providers receive financial incentives for results exceeding the average
- ❑ State benefits from reduced claims costs
- ❑ Net savings of \$1.9 million for 2017

COBRA Amendment for 2018

- ☐ Wellmark will now be responsible for billing all monthly payments.
- ☐ Wellmark is responsible for collecting payments for health and dental premiums and will mail them to the respective carrier.
- ☐ DAS is responsible for providing the begin and end date of the COBRA participant's applicable continuation period.
- ☐ No cost to the State
- ☐ This is incorporated in the approved 2019 health contract.

Dental Insurance

Plan Year 2018

Total	Employee Share	%
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Employer Share	%
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%

Total

Employer Share	%
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Employee Share	%
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Plan Year 2019

Single

\$29.55

\$0.00

0.00%

\$29.55

100.00%

\$29.85

\$0.00

0.00%

\$29.85

100.00%

Family

\$79.43

\$39.70

49.98%

\$39.73

50.02%

\$80.22

\$40.11

50.00%

\$40.11

50.00%

DAS Recommendations for Executive Council

- ☐ Approve recommended premiums for health insurance for 2019
- ☐ Approve recommended premiums for dental insurance for 2019
- ☐ Approve amendment to Wellmark contract for BDTC
- ☐ Approve amendment to COBRA for 2018

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-4419
Email: Jeffrey.Thompson@iowa.gov
www.iowaattorneygeneral.gov

EXECUTIVE COUNCIL

August 16, 2018

AUG 16 2018

Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear Victoria:

Our office received approval on January 17, 2012, to retain George A. LaMarca, LaMarca & Landry, P.C., to represent the State of Iowa in a civil rights complaint and lawsuit filed by Christopher Godfrey. George LaMarca has now given notice he is retiring from the practice of law and intends to withdraw from the representation. The individual defendants have requested Frank Harty, Nyemaster Goode, P.C., be retained as replacement counsel. Mr. Harty has agreed to handle the case at the discounted rate of \$320.00 per hour. This is a significant discount from his standard hourly rate. Mr. Harty may also utilize other associates in the firm in the defense of this matter at the following rates: Deb Hulett at \$270 per hour and other associates from \$170 to \$215 per hour.

Accordingly, our office recommends that Frank Harty, Nyemaster Goode, P.C., be retained as outside counsel to represent the State and individual defendants in the Godfrey litigation. Attorney fees and costs will be paid from the General Fund.

Sincerely,



JEFFREY S. THOMPSON
Solicitor General